EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 3

DOCKET NO.: 2007-1454-PWS-E **TCEQ ID**: RN105197180 **CASE NO.**: 34590

RESPONDENT NAME: Texas H2O, Inc.

ORDER TYPE:		
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_shutdown order	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
_AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
approximately six miles north of Granbury, F TYPE OF OPERATION: Public water sup	pply	mer of Industrial Avenue and Acton Circle,
SMALL BUSINESS: X Yes	No	
OTHER SIGNIFICANT MATTERS: The There is no record of additional pending enf	re were several complaints received on August 13, 2 forcement actions regarding this facility location.	007, alleging water outages and low pressure.
INTERESTED PARTIES: Complaints wer Agenda.	e received but the complainants have not expressed	the desire to protest this action or speak at
COMMENTS RECEIVED: The Texas Reg	gister comment period expired on March 17, 2008.	No comments were received.
239-1482; Mr. Bryan Sinclair, Enf Respondent: Mr. Jess Lewellyn, C	or: None r: Ms. Andrea Linson-Mgbeoduru, Enforcement Division, MC 219, (512) 239-2171 CEO, Texas H2O, Inc., 208 E. Broad Street, Suite 10	

assemblies or an air gap at St. Clair

Dental, located at 100 Gateway Hills,

RESPONDENT NAME: Texas H2O, Inc. DOCKET NO.: 2007-1454-PWS-E

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED Type of Investigation: Total Assessed: \$2,730 **Corrective Actions Taken:** X Complaint Routine Total Deferred: \$546 1. The Executive Director recognizes that X Enforcement Follow-up X Expedited Settlement . Texas H2O issued a boil water notice to its customers on August 16, 2007. Records Review Financial Inability to Pay Date of Complaints Relating to this **Ordering Provisions:** Case: August 13, 2007 SEP Conditional Offset: \$0 2) The Order will require the Respondent Date of Investigation Relating to this Total Paid to General Revenue: \$2,184 Case: August 13 and 14, 2007 Site Compliance History Classification a) Within 30 days after the effective date Date of NOE Relating to this Case: High __ Average __ Poor of this Agreed Order: August 28, 2007 (NOE) Person Compliance History Classification Background Facts: This was a complaint High X Average Poor i. Begin operating the water system to investigation and a follow-up provide a minimum pressure of 35 psi investigation. Major Source: X Yes ___ No throughout the distribution system at all times; and WATER Applicable Penalty Policy: September 2002 ii. Provide a concrete sealing block for 1) Failure to receive written approval of the well that extends at least three feet in plans and specifications prior to any all directions from the well casing. construction of the public water system and make it available at the time of the investigation [30 Tex. ADMIN. CODE b) Within 45 days after the effective date § 290.39(h)]. of this Agreed Order, submit written certification as described in Ordering 2) Failure to extend the well casing a Provision 2.d., and include detailed minimum of 18 inches above the elevation supporting documentation including of the finished floor of the pump room or photographs, receipts, and/or other records natural ground surface [30 Tex. ADMIN. to demonstrate compliance with Ordering CODE § 290.41(c)(3)(B)]. Provision 2.a.; 3) Failure to provide the well with a c) Within 90 days after the effective date concrete sealing block extending a of this Agreed Order: minimum of three feet from the exterior well casing in all directions [30 Tex. ADMIN. CODE § 290.41(c)(3)(J)]. i. Obtain Commission approval of the as-built plans and specification for the 4) Failure to issue a boil water notification Facility; to customers of the water system within 24 hours after a loss of distribution system pressure and water outage occurred [30 ii. Provide a well casing that extends at TEX. ADMIN. CODE § 290.46(q)(1)]. least 18 inches above the elevation of the finished floor or natural ground surface; 5) Failure to provide an elevated storage capacity of 100 gallons per connection or a iii. Provide a minimum pressure pressure tank capacity of 20 gallons per storage capacity of 620 gallons; and connection for its community water system connections and a minimum pressure tank capacity of 220 gallons for its noniv. Install backflow prevention

community connections [30 Tex. ADMIN.

CODE § 290.45(b)(1)(C)(iv) and

(d)(2)(A)(ii) and Tex. Health & Safety Code § 341.0315(c)].	Lane, Suite D, Granbury, TX, where an actual or potential contamination hazard exists.
6) Failure to install backflow prevention assemblies or an air gap at all connection points where an actual or potential contamination hazard exists [30 Tex. ADMIN. CODE § 290.44(h)(1)(A)]. 7) Failure to provide a minimum pressure of 35 pounds per square inch (psi) throughout the distribution system under normal operating conditions [30 Tex. ADMIN. CODE § 290.46(r)].	d) Within 105 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.c. The certification shall be notarized by a State of Texas Notary Public.

Additional ID No(s).: PWS ID No. 1110127

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Penalty Calcu	ulation Worksheet (PCW) PCW Revision June 26,	2007
TCEQ DATES Assigned 4-Sep-2007 PCW 10-Sep-2007 Screening 10-Sep-2007	ep-2007 EPA Due	
RESPONDENT/FACILITY INFORMATION Respondent Texas H2O, Inc. Reg. Ent. Ref. No. RN105197180 Facility/Site Region 4-Dallas/Fort Worth	Major/Minor Source Major	
CASE INFORMATION Enf./Case ID No. 34590 Docket No. 2007-1454-PWS-E Media Program(s) Multi-Media Admin. Penalty \$ Limit Minimum \$50 Maxim	No. of Violations Order Type Enf. Coordinator Andrea Linson-Mgbeoduru EC's Team EnforcementTeam 2	
Penalty C	Calculation Section	-
TOTAL BASE PENALTY (Sum of violation base p	penalties) Subtotal 1 \$2	2,600
ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Su Compliance History		\$130
	e previous Notice of Violation with illar to the current enforcement action,	
Culpability No	0% Enhancement Subtotal 4	\$0
Notes The Respondent does not	t meet the culpability criteria.	
Good Faith Effort to Comply Before NOV NOV to EDPRP/Settler Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not	0% Reduction Subtotal 5 ement Offer street the good faith criteria.	\$0
Total EB Amounts \$391 Approx. Cost of Compliance \$7,550	0% Enhancement* Subtotal 6 *Capped at the Total EB \$ Amount	\$0
SUM OF SUBTOTALS 1-7	Final Subtotal \$	2,730
OTHER FACTORS AS JUSTICE MAY REQUIRE	Adjustment	\$0
Reduces or enhances the Final Subtotal by the indicated percentage. (Enternance) Notes	number only; e.g30 for -30%.)	
	Final Penalty Amount \$	2,730
STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty \$	2,730
DEFERRAL Reduces the Final Assessed Penalty by the indicted percentage. (Enter number 1)		-\$546
Notes Deferral offered for	r expedited settlement.	
PAYABLE PENALTY	\$	2,184

Screening Date 10-Sep-2007 Docket No. 2007-1454-PWS-E PCW Respondent Texas H2O, Inc. Policy Revision 2 (September 2002) Case ID No. 34590 PCW Revision June 26, 2007 Reg. Ent. Reference No. RN105197180 Media [Statute] Public Water Supply Enf. Coordinator Andrea Linson-Mgbeoduru **Compliance History Worksheet** >> Compliance History Site Enhancement (Subtotal 2) Component Number of... Adjust. Enter Number Here Written NOVs with same or similar violations as those in the current enforcement action 1 5% NOVs (number of NOVs meeting criteria) Other written NOVs 0% Any agreed final enforcement orders containing a denial of liability (number of orders 0% meeting criteria) Orders Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory ٥% Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting 0% Judgments criteria) and Consent Any adjudicated final court judgments and default judgments, or non-adjudicated final court Decrees 0 judgments or consent decrees without a denial of liability, of this state or the federal 0% Any criminal convictions of this state or the federal government (number of counts) 0% n Convictions Chronic excessive emissions events (number of events) O 0% Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of 0% 0 audits for which notices were submitted) Audits Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege n **0%** Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Please Enter Yes or No Environmental management systems in place for one year or more 0% No Voluntary on-site compliance assessments conducted by the executive director under a Νo 0% special assistance program Other Participation in a voluntary pollution reduction program No 0% Early compliance with, or offer of a product that meets future state or federal government Nο 0% environmental requirements Adjustment Percentage (Subtotal 2) >> Repeat Violator (Subtotal 3) N/A Adjustment Percentage (Subtotal 3) 0% >> Compliance History Person Classification (Subtotal 7) Average Performer Adjustment Percentage (Subtotal 7) >> Compliance History Summary Compliance The enhancement is due to one previous Notice of Violation with violations that are the same or similar to History the current enforcement action. Notes Total Adjustment Percentage (Subtotals 2, 3, & 7)

Screening Date	10-Sep-2007	Docket I	No. 2007-1454-PWS-E	PCW
Responden	t Texas H2O, Inc.		Policy R	evision 2 (September 2002)
Case ID No	. 34590		P	CW Revision June 26, 2007
Reg. Ent. Reference No	. RN105197180			-
Media [Statute	Public Water Supply			
Enf. Coordinato	Andrea Linson-Mgbeodu	ıru		
Violation Numbe	r 1			1
Rule Cite(s)	30 Tex. Admin. Code §	§ 290.39(h)	
Violation Description	of the public water syn Specifically, on the date TCEQ plan approval fo limited to the approva	ystem and make it availa e of the investigation, sys r the Granbury Industrial	pecifications prior to any construction ble at the time of the investigation. tem officials were not able to produce Park water system, including, but not 1110127A) and all pressure storage, fection facilities.	
			Base Penalty	\$1,000
>> Environmental, Property	and Human Health N	latrix		Liberteinen
22 Environmental, 1 roperty	Harm	iddin		
Releas		e Minor		
OR Actua			B4 [60/]	
Potentia	al		Percent 0%	wareness.
>>Programmatic Matrix				
Falsification	n Major Moderate	e Minor		
	x		Percent 25%	
				a .
Matrix Notes	100% of	the rule requirement was	not met.	
Carrier Contraction			Adjustment \$750]
				\$250
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \				
Violation Events				
Number of V	iolation Events 1	28	Number of violation days	
mark only one with an x	daily monthly quarterly semiannual annual single event x		Violation Base Penalty	\$250
	One	single event is recomme	nded.	
	9,6	-		TATA STATE OF THE PARTY OF THE
Economic Benefit (EB) for t	his violation		Statutory Limit Test	
Estimat	ed EB Amount	\$112	Violation Final Penalty Tota	I \$263
		This violation Final A	ssessed Penalty (adjusted for limits	\$263
100			Properties and the second	

Respondent.		conomic l	3enefit W	orks	heet		
Case ID No.		•			e arter	. Paragailan an an	
Reg. Ent. Reference No. Media Violation No.	Public Water S	upply		1 41	a temp	Percent Interest	Years of Depreciation
Violation No.	1					5.0	15
100	Item Cost	Date Required	Final Date	Yrs	Interest Saved		EB Amount
Item Description							
Delayed Costs							
Equipment				0,0	\$0	\$0	\$0
Buildings			24.14 2000	0,0	\$0	\$0	\$0
Other (as needed)	\$2,000	13-Aug-2007	31-May-2008	8,0	\$5 \$0	\$107	\$112
Engineering/construction				0.0	\$0 \$0	\$0 n/a	\$0 \$0
Land				0.0	\$0 \$0	n/a	\$0
Record Keeping System				0.0	\$0 \$0	n/a	\$0
Training/Sampling Remediation/Disposal				0.0	\$0 \$0	n/a	\$0
Permit Costs				0,0	\$0 \$0	n/a	\$0
Other (as needed)				0.0	\$0 \$0	n/a	\$0
Notes for DELAYED costs	specification	ns that have been p in	repared by a licen vestigation to the	sed, protestimated	fessional enginee d date of complia		e date of the
Avoided Costs	ANN	IUALIZE [1] avoide	ed costs before e			one-time avoided c	
Disposal				0,0	\$0	\$0	\$0
Personnel				0,0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0,0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0	\$0	\$0
Financial Assurance [2]				0,0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0 \$0	\$0 \$0	\$0
Other (as needed)		<u> </u>		<u> </u>	\$ U .	I \$U I	\$0
Notes for AVOIDED costs							al E
Approx. Cost of Compliance	200 700	\$2,000			TOTAL		\$112

Screening Date	10-Sep-2007	Docket I	No. 2007-1454-PWS-E	PCW
	Texas H2O, Inc.			Policy Revision 2 (September 2002)
Case ID No.				PCW Revision June 26, 2007
Reg. Ent. Reference No.	RN105197180 Public Water Supply			
	Andrea Linson-Mgbeodu	ırıı		
Violation Number	P			ACCOUNTY OF THE PROPERTY OF TH
Rule Cite(s)		30 Tex. Admin. Code § 29	0.44(c)(3)(B)	50000000000000000000000000000000000000
		ou rex. Admin. Code 3 25	0.+1(c)(o)(b)	
Violation Description	finished floor of the pump investigation, observation	p room or natural ground s on of the well casing on the	8 inches above the elevation urface. Specifically, on the desystem well (G1110127A) it the natural ground surface.	ate of the
			Base	Penalty \$1,000
>> Environmental, Property a		latrix		
Release	Harm Major Moderate	e Minor		
OR Actual		TAILLOI		
Potential	X		Percent 25%	
>>Programmatic Matrix Falsification	Major Moderate	e Minor		
			Percent 0%	
			ant amount of contaminants to failure to properly protect the	
			Adjustment	\$750
				\$250
Violation Events				
Number of Vi	olation Events 1	28	Number of violation day	/S
mark only one with an x	daily monthly quarterly x semiannual annual single event		Violation Bas	e Penalty \$250
One quarter		l, calculated from the inves ning date, September 10,	itigation date, August 13, 200 2007.	17, to the
Economic Benefit (EB) for th	is violation		Statutory Limit Te	st
Estimate	ed EB Amount	\$34	Violation Final Pen	alty Total \$263
		This violation Final A	ssessed Penalty (adjusted t	for limits) \$263
		inis violation Final A	ssesseu renally (aujusted l	or mints) \$203

	Е	conomic I	3enefit W	orks	sheet		
Respondent						$(x_1, y_2) = \Theta_{\mathcal{F}}(x_1, y_2) + \frac{1}{2} (x_1, y_2)$	
Case ID No.						- Ling # 1 * 1 1 (4) 21.	
Reg. Ent. Reference No. Media Violation No.	Public Water Su	upply			tin tikin. Na malantin t	Percent Interest	Years of Depreciation
	-					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
nem pesseripaon	140 Commaσ or ψ						
Delayed Costs							
Equipment				0,0	\$0	\$0	\$0
Buildings			Maria de Caración	0,0	\$0	\$0	\$0
Other (as needed)				0,0	\$0	\$0	\$0
Engineering/construction	\$500	13-Aug-2007	31-Jul-2008	1.0	\$2	\$32	\$34
Land				0,0	\$0 \$0	n/a n/a	\$0 \$0
Record Keeping System Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0 \$0
Permit Costs				0.0	\$0	n/a	\$0
					COMPONENT CONTRACTOR C		
Other (as needed)				0.0	\$0	n/a	\$0
Other (as needed) Notes for DELAYED costs	Estimated o			construc		well casing. Date re	***************************************
		investigat	ion date. Final da	construc te is the	tion to extend the expected date of o	well casing. Date recompliance:	quired is the
Notes for DELAYED costs		investigat	ion date. Final da	constructe is the entering	tion to extend the expected date of a item (except for \$0	well casing. Date re- compliance: fail is one-time avoided o	quired is the sosts)
Notes for DELAYED costs Avoided Costs Disposal Personnel		investigat	ion date. Final da	constructe is the entering 0.0 0.0	tion to extend the expected date of o item (except for \$0 \$0	well casing. Date recompliance.	quired is the sosts) \$0 \$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling		investigat	ion date. Final da	constructering	ition to extend the expected date of or item (except for \$0 \$0 \$0	well casing. Date recompliance. one-time avoided of \$0 \$0 \$0 \$0	quired is the sosts) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment		investigat	ion date. Final da	constructe is the entering 0.0 0.0 0.0 0.0	ition to extend the expected date of a litem (except for \$0 \$0 \$0 \$0	well casing. Date recompliance.	quired is the sosts) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		investigat	ion date. Final da	constructe is the entering 0.0 0	ition to extend the expected date of of the item (except for \$0 \$0 \$0 \$0 \$0 \$0	well casing. Date recompliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	quired is the sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		investigat	ion date. Final da	constructe is the sentering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	tion to extend the expected date of or tem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	well casing. Date recompliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	quired is the sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		investigat	ion date. Final da	constructe is the entering 0.0 0	ition to extend the expected date of of the item (except for \$0 \$0 \$0 \$0 \$0 \$0	well casing. Date recompliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	quired is the sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Notes for DELAYED costs AVOIDED COSTS DIsposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		investigat	ion date. Final da	constructe is the sentering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	tion to extend the expected date of or tem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	well casing. Date recompliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	quired is the sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANN ANN ANN ANN ANN ANN ANN ANN	investigat	ion date. Final da	constructe is the sentering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	tion to extend the expected date of or tem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	well casing. Date recompliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	quired is the sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$

Screening Date	10-Sep-2007	Docket No. 2007-1454-P	WS-E PCW
Respondent	Texas H2O, Inc.		Policy Revision 2 (September 2002)
Case ID No.			PCW Revision June 26, 2007
Reg. Ent. Reference No.			
Media [Statute]			NATIONAL PROPERTY OF THE PROPE
Enf. Coordinator Violation Number	Andrea Linson-Mgbeoduru		
Rule Cite(s)	3		55555565555565555555555555555555555555
7(4.0 0.00(0)	30 Tex. /	Admin. Code § 290.41(c)(3)(J)	
Violation Description	feet from the exterior well cas investigation, observation of the	concrete sealing block extending a sing in all directions. Specifically, or well casing revealed that the curre a feet in all directions from the casin	the date of the art sealing block did
			Base Penalty \$1,000
>> Environmental, Property a			
Release	Harm Major Moderate M	inor	
OR Actual	Major Moderate M		
Potential	x	Percent	25%
>>Programmatic Matrix Falsification	Major Moderate M	inor	
Taisiication	Wajor Woderate W	Percent	0%
L			,
Matrix Notes Failure to customers of	the water supply to significant am	minimum of three feet from the we ounts contaminants which would no ve of human health.	ills could expose of exceed levels that
10 10 10 10 10 10 10 10 10 10 10 10 10 1		Adjustment	\$750
			\$250
			Ψ200
Violation Events			
N	1-4: [28 Number of v	iolation days
Number of Vi	lation Events	28 Number of v	iolation days
mark only one with an x	daily monthly quarterly x semiannual annual single event	Vio	lation Base Penalty \$250
	L. L		
One quarter	y event is recommended, calculat screening date	ted from the investigation date, Aug s, September 10, 2007.	just 13, 2007, to the
Economic Benefit (EB) for th	is violation	Statutory	Limit Test
		005	Final Penalty Total \$263
Estimate	d EB Amount	\$25 Violation	Final Penalty Total \$263
	This	violation Final Assessed Penalty	(adjusted for limits) \$263

	E	conomic l	Benefit W	orks	heet		
Respondent	Texas H2O, Inc).		Sand Sales of the Control of the Con			
Case ID No.					+25	and the second	
Reg, Ent. Reference No.							v
Media	Public Water S	upply				Percent Interest	Years of
Violation No.	3						Depreciation
						5,0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
		•	rision i kieli li i				
Delayed Costs							
Equipment				0,0	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0,0	\$0	\$0	\$0
Engineering/construction	\$500	13-Aug-2007	30-Apr-2008	0.7	\$1	\$24	\$25
Land				0,0	\$0 \$0	n/a	\$0 \$0
Record Keeping System				0,0	\$0 \$0	n/a n/a	\$0 \$0
Training/Sampling Remediation/Disposal				0.0	\$0	17a 17a	\$0 \$0
Permit Costs				0.0	\$0	n/a	\$0 \$0
Other (as needed)				0.0	\$0	n/a	\$0
	The delayed	costs includes the a	imount to increase		of the sealing blo	ack calculated from	
Notes for DELAYED costs	•				d date of compliar		the date of the
Notes for DELAYED costs Avoided Costs	ANN	ln	vestigation to the	estimate	d date of compliar		
	ANN	ln	vestigation to the	estimate	d date of compliar	nce, 334 (1) one-time avoided c \$0	osts) \$0
Avoided Costs Disposal Personnel	ANN	ln	vestigation to the	ntering 0.0	d date of complian	one-time avoided o	osts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANN	ln	vestigation to the	ntering 0.0 0.0 0.0	item (except for a \$0 \$0 \$0	nce, Marchall bone-time avoided of \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANN	ln	vestigation to the	ntering 0.0 0.0 0.0 0.0	item (except for established so the so that so the so the so that so the	one-time avoided o	sosts) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	ln	vestigation to the	ntering	item (except for second	nce. ************************************	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Gosts Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANN	ln	vestigation to the	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for state of compliant state of compli	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	ln	vestigation to the	ntering	item (except for second	nce. ************************************	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
AVoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANN	ln	vestigation to the	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for state of compliant state of compli	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANN	ln	vestigation to the	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for state of compliant state of compli	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0

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Screening Date	10-Sep-2007	Docket No.	2007-1454-PWS-E	PCW
Respondent	Texas H2O, Inc.		Policy Re	evision 2 (September 2002)
Case ID No.			Pe	CW Revision June 26, 2007
Reg. Ent. Reference No.				
	Public Water Supply			
	Andrea Linson-Mgbeoduru	и		
Violation Number Rule Cite(s)	4			1
Nuie Oite(s)		30 Tex. Admin. Code § 290.4	46(q)(1)	
Violation Description	after a loss of distributio	n system pressure and water	the water system within 24 hours outage occurred. Specifically, a ss of pressure and water outage, 2007.	
			Base Penalty	\$1,000
>> Environmental, Property a		atrix		
Release	Harm Major Moderate	Minor		***************************************
OR Actual				
Potential			Percent 0%	
1.00				
>>Programmatic Matrix Falsification	Major Moderate	Minor		
	x		Percent 25%	
				ī
Matrix Notes	100% of t	he rule requirement was not r	met.	
The second secon		Α	Adjustment \$750	,
				\$250
				Ψ200
Violation Events		The second secon		
			7. N	***************************************
Number of Vi	olation Events 1		Number of violation days	
mark only one with an x	daily monthly quarterly semiannual annual single event x		Violation Base Penalty	\$250
	One s	single event is recommended.		
Economic Benefit (EB) for th	nis violation		Statutory Limit Test	
Estimate	d EB Amount	\$0	Violation Final Penalty Total	\$263
•		This violation Final Asses	ssed Penalty (adjusted for limits)	\$263
		inis violation rinai Asses	sseu renaity (aujusteu loi illillis)	γΨΖΟΟ

	E	conomic E	Benefit W	orks	heet		
Respondent	Texas H2O, In	C.					
Case ID No.	34590				** ·	大学 化红色 强	
Reg, Ent. Reference No.	RN105197180						
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	4		·	1	the stays of said	i ciociii iliterest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
How Description			, mai bato			0	
Item Description	No commas or \$						
		· · · · · · · · · · · · · · · · · · ·					
Delayed Costs		el I		0.0	\$0	\$0	\$0
Equipment Buildings				0,0	\$0 \$0	\$0	\$0 \$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal				.0,0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)	\$100	14-Aug-2007	16-Aug-2007	0.0	\$0	n/a	\$0
Notes for DELAYED costs	water notificati	costs include the an ion, calculated from t	he date when the water n	boll wat otice wa	er notice should h s issued	ave been issued to	the date the boil
Avoided Costs	ANI	NUALIZE [1] avoide	d costs before e	ntering	item (except for	one-time avoided o	osts)
Disposal				0,0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling					CONTRACTOR OF A STATE		
	5555555564555454		4 40 40 40 40 40 40 40 40 40 40 40 40 40	0.0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0	\$0	\$0 \$0
Financial Assurance [2]				0,0	\$0 \$0	\$0 \$0	\$0 \$0 \$0
Financial Assurance [2] ONE-TIME avoided costs [3]				0,0 0,0 0,0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0 \$0
Financial Assurance [2]				0,0	\$0 \$0	\$0 \$0	\$0 \$0 \$0
Financial Assurance [2] ONE-TIME avoided costs [3]				0,0 0,0 0,0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0 \$0
Financial Assurance [2] ONE-TIME avolded costs [3] Other (as needed)		\$100		0,0 0,0 0,0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0 \$0

Screening	Date 10-Sep-2007		Docket No. 200	7-1454-PWS-E	PCW
Respon	dent Texas H2O, In	C.		Poli	cy Revision 2 (September 2002)
Processing Control of the Control of	No. 34590				PCW Revision June 26, 2007
Reg. Ent. Reference	No. RN105197180				
	tute] Public Water S				
	nator Andrea Linson	-Mgbeoduru			
Violation Nu	المستنب المستب المستنب المستنب المستنب المستنب المستنب المستنب المستنب المستنب				
Rule C		C	ode § 341.0315(c)	i) and Tex. Health & Safe	
Violation Descri	pressure tal connections a iption connections. A connections,	nk capacity of 20 gallond a minimum pressul According to system po 20 community conne	ns per connection for it re tank capacity of 220 ersonnel, the water syst ction and 30 non-comm	allons per connection or a s community water systen gallons for its non-commu tem currently has a total or unity connections. The total te system currently provide	n nity f 50 ral
-				Base Pena	alty \$1,000
>> Environmental, Prope	erty and Human I	Health Matrix			
Limionnentai, mop		Harm			
	elease Major	Moderate Mino	r		
	Actual				***************************************
Po	tential	X	Per	cent 10%	
>>Programmatic Matrix		Madarata Mina	r		
Falsific	cation Major	Moderate Mino	***************************************	cent 0%	
		nd the system's ability	to provide a safe and r aired.	of the water supply could eliable water supply would street	900l
			Auju	Stillette V	
			•		\$100
Violation Events					
Numbe	r of Violation Events	1	28 Nui	mber of violation days	
	daily				
	monthly				
mark or				Violation Base Pen	alty \$100
with a					-
	annual				
	single event	X			
-					
		One single ever	it is recommended.		
Economic Benefit (EB)	for this violation		St	atutory Limit Test	
Est	timated EB Amount		\$112	Violation Final Penalty T	otal \$105
		This via	lation Final Associat	Penalty (adjusted for lim	nits) \$105
		TINS VIU	ialion i mai Assesseu	. Sharry (aajastea for fill	,

	Е	conomic l	Benefit W	orks	heet	ti tarah majar	
Respondent :		>.					
Case ID No.						$G_{ij} = \{i, j \in \mathcal{M}_{ij} \mid \mathcal{M}_{ij}\}$	
Reg. Ent. Reference No.					33 Jan 198		
	Public Water S -	upply				Percent Interest	Years of Depreciation
Violation No.	5						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs		17					
Equipment	\$2,000	13-Aug-2007	31-May-2008	0.8	\$5	\$107	\$112
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0,0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land [0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs		from the dat	e of the investigat	on to the	e estimated date	a spooled	
Avoided Costs	ANI	IUALIZE [1] avoide	ed costs before e			one-time avoided o	
Disposal				0.0	\$0	\$0	\$0
Personnel				0,0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0	\$0	\$0
Financial Assurance [2]				0,0	\$0	\$0	\$0 *0
ONE-TIME avoided costs [3]				0.0	\$0 \$0.	\$0 \$0	\$0- \$0
Other (as needed)			A	0,0	\$ U.	<u>, \$∪ </u>	ֆ∪
Notes for AVOIDED costs						Total Programme	en de
<u>[</u>						·	
Approx. Cost of Compliance		\$2,000			TOTAL	#L	\$112

Screening Date	10-Sep-2007	Docket No. 2	007-1454-PWS-E	PCW
	Texas H2O, Inc.		Policy I	Revision 2 (September 2002)
Case ID No.			F	PCW Revision June 26, 2007
Reg. Ent. Reference No.				
	Public Water Supply			***************************************
(1) 1.7. (2) 1.8.	Andrea Linson-Mgbeodu	ru		
Violation Number				1
Rule Cite(s)		30 Tex. Admin. Code § 290 44(h	i)(1)(A)	
Violation Description	where an actual or poter investigation, there was	ow prevention assemblies or an a ntial contamination hazard exists s not a backflow prevention asse t 100 Gateway Hills Ln., Ste. D, (. Specifically, at the time of the mbly at St. Clair Dental offices	
			Base Penalty	/ \$1,000
>> Environmental, Property a		latrix		
Pologo	Harm Major Madarata	e Minor		
Release OR Actual		# WINO		
Potential		P	ercent 50%	
			harana and a same and	
>>Programmatic Matrix				
Falsification	Major Moderate		00/	
			Percent 0%	
Matrix Failure to h		assemblies installed could cause		
Notes	would exceed le	evels that are protective of huma	in health.	
<u> </u>				
		Ad	justment \$50	0
· ·				\$500
				Ψ000
Violation Events				
Number of Vi	olation Events 1		Number of violation days	***************************************
	J. H.	0000		
	daily x	5558 5558		
mark only one	quarterly		Violation Base Penalt	y \$500
with an x	semiannual			
	annual			
	single event			
One month		, calculated from the investigatio		
	scree	ning date, September 10, 2007.		
Landa Maria del				_
Economic Benefit (EB) for th	is violation		Statutory Limit Test	
Estimata	d EB Amount	\$28	Violation Final Penalty Tota	st \$525
Laumate	a LD Amount			
		This violation Final Assess	ed Penalty (adjusted for limits	\$525

a partition with the	Е	conomic E	3enefit W	orks	heet		
Respondent			•	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			I
Case ID No.							
Reg. Ent. Reference No.					total to the first	Service of the servic	
	Public Water S	apply				Percent Interest	Years of Depreciation
Violation No.	6		,	· troise and		100	
						5.0	15
and the second of the second o	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs				·····			
Equipment	\$450	13-Aug-2007	30-Jun-2008	0,9	\$1	\$26	\$28
Buildings				0,0	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)			The same of the sa	0.0	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/construction Land	\$65,000 Sept. 100 Sept. 10			0.0	\$0 \$0	n/a	\$0
Record Keeping System				0.0	\$0 \$0	n/a	\$0
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs	•	of the	investigation to t	ne estim	ated date of comp		14.
Avoided Costs	ANN	UALIZE [1] avoide	ed costs before e			one-time avoided c	
Disposal				0,0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0,0	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/equipment Financial Assurance [2]			-	0,0	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs [3]	-			0.0	\$0 \$0	\$0 \$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
A series a		<u> </u>					
Notes for AVOIDED costs							101/2
Approx. Cost of Compliance		\$450			TOTAL		\$28

Screening Date		Docki	et No. 2007-1454-PWS-E	PCW
	Texas H2O, Inc.		·	Policy Revision 2 (September 2002)
Case ID No.				PCW Revision June 26, 2007
Reg. Ent. Reference No.	į.			
주어가 있어요? 아이들이 얼마나 그는 그는 그는 그들이 그리고 있는데 그리고 있는 그 그 그 그 그 그 그리고 있다.	Public Water Supply Andrea Linson-Mgbeo	oduru		
Violation Number	**************************************	Jaara		
Rule Cite(s)		OO Teer Address Con	J- 2 200 46(c)	
Violation Description	Failed to provide a mi	nditions. Specifically, during	throughout the distribution system	rdings
	I snowed the system t	o be at 0.0 pound per squ on August 13, 2007, and 1	uare inch ("psi") for approximately e 10 psi on August 14, 2007.	Penalty \$1,000
				-
>> Environmental, Property a	***************************************			***************************************
Release	Harı Major Moder			
OR Actua	·			
Potentia	l x		Percent 50%	***************************************
>>Programmatic Matrix	M. C. Marie	hd:		***************************************
Falsification	Major Modei	rate Minor	Percent 0%	
			1 6/6/11	
Matrix Notes Without a supply co	dequate pressure, back uld be exposed to cont	kflow and water outages o aminants that exceed leve	could occur and customers of the wels that are protective of human he	rater alth:
The state of the s			Adjustment	\$500
				\$500
				φοσο
Violation Events			HER SOUTH ON STREET	
	2		2 Number of violation days	
			and the state of t	
	daily			
and the state of t	monthly		Walatian Bass	Penalty \$1,000
mark only one with an.x	quarterly		Violation Base	Penalty \$1,000
Will GILX	semiannual annual			
	single event x			
				,
	Two single event	s are recommended, one	event for each incident	
	i wo siligle evelit	s are recommended, one	event for each including	
Losson				
Economic Benefit (EB) for the	nis violation		Statutory Limit Test	
Estimate	ed EB Amount	\$80	Violation Final Penal	ty Total \$1,050
		This violation Fina	I Assessed Penalty (adjusted for	r limits) \$1,050
		TIIIS VIUIALIUII FIIIA	ii Assessed Felialty (aujusted 10)	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,

	Ε	conomic E	Benefit W	orks	heet		
Respondent		. .			and the second of the	A CONTRACTOR	
Case ID No.					1.2	$\mathcal{F}_{i} = (1, \mathcal{F}_{i}) = (\mathfrak{g}_{i} - \mathfrak{F}_{i}) = i$	
Reg. Ent. Reference No.					the state of		
	Public Water St	upply			e contra de la contra del contra de la contra del la contra del la contra del la contra de la contra del la contra de la contra de la contra del la contra del la contra de la contra del la contra	Percent Interest	Years of
Violation No.	7						Depreciation
Control Statement						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs				1			
Equipment				0,0	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0,0	\$0	\$0	\$0
Engineering/construction				0,0	\$0 \$0	\$0 n/a	\$0 \$0
Land				0.0	\$0 \$0	n/a n/a	\$0 \$0
Record Keeping System				0,0	\$0 \$0	n/a	\$0 \$0
Training/Sampling Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,000	13-Aug-2007	31-May-2008	0.8	\$80	n/a	\$80
						1 n	
Notes for DELAYED costs			or greater. The da	te requir		lem to increase the stigation date. The fi	
Notes for DELAYED costs Avoided Costs	the system to	a constant 35 psi c	or greater. The da estimated	te require date of	ed is the first inves compliance.	stigation date. The fi	nal date is the osts)
	the system to	a constant 35 psi c	or greater. The da estimated	te require date of one ntering	ed is the first Inve- compliance. item (except for \$0	stigation date. The fi one-time avoided o	nal date is the costs)
Avoided Costs	the system to	a constant 35 psi c	or greater. The da estimated	te require date of o	ed is the first Inve compliance, item (except for \$0 \$0	one-time avoided of \$0	nal date is the costs) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	the system to	a constant 35 psi c	or greater. The da estimated	ntering 0,0 0.0 0.0	ed is the first inve- compliance. item (except for \$0 \$0	one-time avoided o	nal date is the sosts) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	the system to	a constant 35 psi c	or greater. The da estimated	ntering 0,0 0.0 0.0 0.0	ed is the first Inve- compliance. item (except for \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	the system to	a constant 35 psi c	or greater. The da estimated	ntering 0.0 0.0 0.0 0.0 0.0	ed is the first Investompliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0	**************************************
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	the system to	a constant 35 psi c	or greater. The da estimated	ntering 0.0 0.	ed is the first Invercompliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	the system to	a constant 35 psi c	or greater. The da estimated	ntering 0.0 0.0 0.0 0.0 0.0	ed is the first Investompliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0	**************************************
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	the system to	a constant 35 psi c	or greater. The da estimated	ntering 0.0 0.	ed is the first Invercompliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	stigation date. The final street is a second of the second	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Ávoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	the system to	a constant 35 psi c	or greater. The da estimated	ntering 0.0 0.	ed is the first Invercompliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Compliance History

Customer	/Respondent/Owner-Ope	rator:	CN600656201	Texas H2O, Inc.		Classification: AVERAGE	Rating: 0
Regulated	l Entity:		RN105197180	GRANBURY INDU	STRIAL PARK	Classification:	Site Ratir
ID Numbe	er(s):		PUBLIC WATER	SYSTEM/SUPPLY	REGIS	STRATION	1110127
Location:				ORTH OF GRANBURY R OF INDUSTRIAL A' TX			
TCEQ Re	gion:		REGION 04 - DF	W METROPLEX			
Date Com	pliance History Prepared	i :	September 05, 20	007			
Agency D	ecision Requiring Compli	iance History:	Enforcement				
Compliance Period:			September 04, 20	002 to September 04, 2	2007		
TCEQ Sta	aff Member to Contact for	Additional Infor	mation Regarding t	his Compliance Histor	y		
Name:	Andrea Linson-M	1gbeoduru	Ph	one: 512-239-1	1482		
			Site C	ompliance History	Components		
1. Has the	e site been in existence a	nd/or operation	for the full five year	compliance period?	No		
2. Has the	ere been a (known) chang	ge in ownership	of the site during th	ne compliance period?	No		
3. If Yes,	who is the current owner	?			N/A		
4. if Yes,	who was/were the prior of	owner(s)?			N/A		_
5. When	did the change(s) in own	ership occur?			N/A		_
Compor	nents (Multimedia) fo	or the Site :					
A.	Final Enforcement Orde	ers, court judger	nents, and consent	decrees of the state of	f Texas and the fe	ederal government.	
	N/A						
В	Any criminal convictions	o of the state of	Toyas and the fode	aral government			
B.	N/A	s of the state of	rexas and the lede	nai governinent.			
C.	Chronic excessive emis	ssions events.					
D.	The approval dates of in		CCEDS Inv. Track.	No.)			
	1 05/07/2007	(557131)					
E.	Written notices of violat	, , ,	CEDS Inv. Track. N	0.)			
	Date: 04/30/20	,	1)		Classification:	Minor	
	Self Report? I		pter 290, SubChap	ter F 290.121[G]	Classification.	MINO	
	Description:	Violation of:	§290.121(G) ovide a system moi				
	Self Report?	NO	ovide a system moi	intoring plan.	Classification:	Minor	
	Citation:		pter 290, SubChap	ter D 290.39(h)[G]			
	Description:	Failure to pro		system plan review ap	proval for the Gra	nbury Industrial	
	Self Report?	Park water s	system.		Classification:	Minor	
	Citation:		, ,	ter D 290.41(c)(3)(B)			
	Description:		§290.41(c)(3)(B) Instruct the well cas	sing at least 18" above	the natural groun	d surface.	
	Self Report?	NO			Classification:	Minor	
	Citation: Description:		ıpter 290, SubChap §290.41(c)(3)(J)	ter D 290.41(c)(3)(J)			
		Failure to pr		ealing block around the	system well (G1	110127A),	
F.	Environmental audits.	J					
	N/A		(F) (C)				
G.	Type of environmental	management sy	ysiems (EMSs).				

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A:

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
TEXAS H2O, INC.	§	
RN105197180	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2007-1454-PWS-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Texas H2O, Inc. ("Texas H2O") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and Texas H2O appear before the Commission and together stipulate that:

- 1. Texas H2O owns and operates a public water supply on US Highway 377, at the northwest corner of Industrial Avenue and Acton Circle, approximately six miles north of Granbury, Hood County, Texas (the "Facility") that has approximately 50 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and Texas H2O agree that the Commission has jurisdiction to enter this Agreed Order, and that Texas H2O is subject to the Commission's jurisdiction.
- 3. Texas H2O received notice of the violations alleged in Section II ("Allegations") on or about September 2, 2007.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Texas H2O of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of Two Thousand Seven Hundred Thirty Dollars (\$2,730) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Texas H2O has paid Two Thousand One Hundred Eighty-Four Dollars (\$2,184) of the administrative penalty and Five Hundred Forty-Six Dollars (\$546) is deferred contingent upon Texas H2O's timely and satisfactory compliance with all the terms of this Agreed Order.

The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Texas H2O fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Texas H2O to pay all or part of the deferred penalty.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and Texas H2O have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director recognizes that Texas H2O issued a boil water notice to its customers on August 16, 2007.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Texas H2O has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, Texas H2O is alleged to have:

- 1. Failed to receive written approval of plans and specifications prior to any construction of the public water system and make it available at the time of the investigation, in violation of 30 TeX. ADMIN. CODE § 290.39(h), as documented during an investigation conducted on August 13, 2007.
- 2. Failed to extend the well casing a minimum of 18 inches above the elevation of the finished floor of the pump room or natural ground surface, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(B), as documented during an investigation conducted on August 13, 2007.
- 3. Failed to provide the well with a concrete sealing block extending a minimum of three feet from the exterior well casing in all directions, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(J), as documented during an investigation conducted on August 13, 2007.
- 4. Failed to issue a boil water notification to customers of the water system within 24 hours after a loss of distribution system pressure and water outage occurred, in violation of 30 Tex. ADMIN. CODE § 290.46(q)(1), as documented during an investigation conducted on August 13, 2007.
- 5. Failed to provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection for its community water system connections and a minimum pressure tank capacity of 220 gallons for its non-community connections, in violation

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Texas H2O, Inc. DOCKET NO. 2007-1454-PWS-E Page 3

of 30 TEX. ADMIN. CODE § 290.45(b)(1)(C)(iv) and (d)(2)(A)(ii) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during an investigation conducted on August 13, 2007.

- 6. Failed to install backflow prevention assemblies or an air gap at all connection points where an actual or potential contamination hazard exists, in violation of 30 Tex. ADMIN. CODE § 290.44(h)(1)(A), as documented during an investigation conducted on August 13, 2007.
- 7. Failed to provide a minimum pressure of 35 pounds per square inch throughout the distribution system under normal operating conditions, in violation of 30 Tex. ADMIN. CODE § 290.46(r), as documented during an investigation conducted on August 13, 2007 and the follow-up investigation conducted on August 14, 2007.

III. DENIALS

Texas H2O generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Texas H2O pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and Texas H2O's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Texas H2O, Inc., Docket No. 2007-1454-PWS-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that Texas H2O shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Begin operating the water system to provide a minimum pressure of 35 pounds per square inch throughout the distribution system at all times, in accordance with 30 Tex. Admin. Code § 290.46.
 - ii. Provide a concrete sealing block for the well that extends at least three feet in all directions from the well casing, in accordance with 30 Tex. ADMIN. CODE § 290.41.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision 2.d. below, and include detailed supporting

documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.; and

- c. Within 90 days after the effective date of this Agreed Order:
 - i. Obtain Commission approval of the as-built plans and specifications for the Facility, in accordance with 30 Tex. ADMIN. CODE §§ 290.39;
 - ii. Provide a well casing that extends at least 18 inches above the elevation of the finished floor or natural ground surface, in accordance with 30 Tex. ADMIN. CODE § 290.41;
 - iii. Provide a minimum pressure storage capacity of 620 gallons, in accordance with 30 Tex. ADMIN. CODE § 290.45; and
 - iv. Install backflow prevention assemblies or an air gap at St. Clair Dental, located at 100 Gateway Hills Lane, Suite D, Granbury, TX, where an actual or potential contamination hazard exists, as required by 30 Tex. ADMIN. CODE § 290.44
- d. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section, Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2301 Gravel Drive Fort Worth, Texas 76118-6951

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- 3. The provisions of this Agreed Order shall apply to and be binding upon Texas H2O. Texas H2O is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Texas H2O shall be made in writing to the Executive Director. Extensions are not effective until Texas H2O receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Agreed Order, issued by the Commission, shall not be admissible against Texas H2O in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Texas H2O, or three days after the date on which the Commission mails notice of the Order to Texas H2O, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director	3/5/2008 Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

Texas H2O, Inc.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

Date

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Date

Date

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Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

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